IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED TA MAY 0 3 2006

JOHN F. CORCORAN, CLERK BY:

	DEP UTY CLERK	
WALTER R. ROBERTSON,)	
)	
Plaintiff,)	
) Civil Action No. 7:05ev00513	
v.)	
)	
JO ANNE B. BARNHART,) By: Michael F. Urbanski	
Commissioner of Social Security,) United States Magistrate Judge	
Defendant.)	
)	

FINAL JUDGMENT AND ORDER

For reasons stated in a Memorandum Opinion filed on January 30, 2006, it is **ORDERED** as follows:

- This case shall be and hereby is REVERSED and REMANDED to the
 Commissioner for proper consideration of Dr. Steinweg's opinion;
- 2. Upon remand, should the Commissioner be unable to decide this case in plaintiff's favor on the basis of the existing record, the Commissioner shall conduct a supplemental administrative hearing at which both sides will be allowed to present additional evidence and argument; and
- 3. The parties are advised that the court considers this remand order to be a "sentence four" remand. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). Thus, this order of remand is a final order. Shalala, 509 U.S. at 297-98. If the Commissioner should again deny plaintiff's claim for benefits, and should plaintiff again

choose to seek judicial review, it will be necessary for plaintiff to initiate a new civil action within sixty (60) days from the date of the Commissioner's final decision on remand. See 42 U.S.C. § 405(g).

The Clerk is directed to send certified copies of this Judgment and Order to all counsel of record.

Enter this 3'd day of May, 2006.

Michael F. Urbanski

UNITED STATES MAGISTRATE JUDGE